

**REMARKS**

Reconsideration of this application is requested.

An Abstract in a single paragraph is attached hereto. It is believed that this will obviate the objection to the Abstract.

Claims 2 and 17 have been amended as kindly suggested by the Examiner. Accordingly, withdrawal of the Section 112 rejection is requested.

With regard to the applicants' IDS as filed with the application, it is noted that the first-listed WO number is not completely given. It should read WO 99/67334 as shown in red on the attached copy of the relevant page of the IDS. If the applicants need to do anything further towards correcting the reference identification, the Examiner is requested to advise.

The Examiner's attention is also called to the applicant's IDS filed on July 7, 2006. The Examiner is requested to consider the same in the examination of this application.

A Terminal Disclaimer is filed herewith. This should obviate the provisional double-patenting rejection of claims 1-24 based on Appln. No. 10/564,935. Accordingly, reconsideration and withdrawal of the provisional rejection is requested.

The Examiner is also requested to reconsider and withdraw the Section 103(a) rejection of claims 1, 4-16 and 19-24 as unpatentable over WO 99/67334. The reference does not make the applicant's invention, as defined in the rejected claims, obvious.

As the Examiner will know, ink jet printing is increasingly being used in place of silver halide photography as a means of providing photographic prints. The one area where ink-jet prints often fall short versus silver halide prints is in their long term stability. Thus ink-jet prints often fade or display changes in shade on exposure to light. Ink-jet prints also fade and change shade in the dark due to the presence of atmospheric ozone.

The present application is concerned with providing dyes and inks which when printed display improved ozone fastness. The applicant has discovered that certain phthalocyanines bearing 4 substituents only in the  $\beta$ -position unexpectedly display significantly improved light and ozone fastness when compared with phthalocyanines as normally used in ink-jet printing which comprise a complex mixture with substituents present in both the  $\alpha$ - and the  $\beta$ - positions.

When phthalocyanines of the type described in WO 99/67334 are prepared by direct sulfonation of the phthalocyanine ring the resultant product is a complex mixture of different species. Thus the dye mixture as described in WO 99/67334 will have components with

between 1 to 4 substituents and these substituents will be randomly distributed between the  $\alpha$ - and the  $\beta$ -position ring positions (see page 2 of the specification lines 20 to 25). In phthalocyanine mixtures such as those described in WO 99/67334 those components with 4 substituents only in the  $\beta$ -position will comprise, at most, only one or two percent of the total weight of dye.

The advantage the applicants have found for these  $\beta$ -substituted components over the prior art mixtures of WO 99/67334 is shown, in the present application, in the tables on page 19 and, especially, page 20 where the improved light fastness and ozone fastness of prints made by and with processes, inks and compounds according to the present invention is clearly illustrated. In particular the Examiner should note that Comparative Dye 2 which was used to make Comparative ink 2, as used in the tables on pages 19 and 20 of the present application, is identical to Example 1 of WO 99/67334.

Ozone fastness is not mentioned in WO 99/67334 as being a problem. Thus, it is unlikely that a person of ordinary skill looking to improve the ozone fastness of ink-jet prints would be motivated to consider this reference. Even if a person of ordinary skill did consult WO 99/67334 there is nothing therein to suggest that selecting a minor component from the mixture of dyes of the type described in WO 99/67334, i.e. bearing 4 substituents only in the  $\beta$ -position, would result in improved ozone and light fastness.

Thus, in short, there is nothing in WO 99/67334 which would motivate a person of ordinary skill to arrive at the present invention. The applicant, therefore, submits that claims 1, 4-16 and 19-24 all define patentable subject matter over WO 99/67334. Thus, reconsideration and withdrawal of the Section 103(a) rejection are thought to be in order and are requested.

It is believed that with this submission, the application is in condition for allowance and such action is respectfully requested.

Respectfully submitted,

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